

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN**

In Re:

JAE L BURNHAM,

Debtor.

TDC INTERNATIONAL CORP., f/k/a
G.E. THOMPSON DEVELOPMENT
CORP.,

Plaintiff,

V.

JAE L BURNHAM,

Defendant.

Case No. 17-03285-jtg

Chapter 7

Adversary Proceeding No.: 17-80176-swd

PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT JUDGMENT

Plaintiff, TDC International Corp. f/k/a/ G.E. Thompson Development Corp., (“Plaintiff”), moves pursuant to Fed. R. Bankr. 7055 for entry of a Default Judgment against Defendant Jae L Burnham and in support of its Motion, state as follows:

1. Pursuant to 28 U.S.C. §157 and 28 U.S.C. §1334, this Court has jurisdiction to determine the rights of the parties herein.
2. On November 7, 2017, Plaintiff filed a Complaint asking the Court to hold that the debt owed to Plaintiff pursuant to the Orders of United States District Court for the Eastern District of Michigan in Case No. 08-14792 nondischargeable.
3. Defendant was served with the copy of the Summons and Complaint on December 4, 2017.

4. Defendant's response to the Complaint was due January 4, 2017.
5. Defendant has failed to respond to the Complaint.
6. On January 9, 2017, the Clerk of the Court entered a default against Defendant.
7. Defendant is neither an infant nor an incompetent person.
8. Defendant is not in the military service.
9. Plaintiff's claim against Defendant is for a sum certain or for a sum which by computation can be made certain.

In conclusion, the Plaintiff, TDC International Corp. f/k/a/ G.E. Thompson Development Corp., requests this Court to:

- A) Enter an Order of Default Judgment against Defendant Jae L Burnham;
- B) Enter an Order in favor of Plaintiff and against Defendant Jae L Burnham determining the debt owed to Plaintiff by Defendant in the amount of \$10,178.00 is nondischargeable under 11 U.S.C. § 523(a)(6);
- C) Enter such other and further relief as the Court deems appropriate under the circumstances.

O'REILLY RANCILIO P.C.

/s/ Nathan D. Petrusak

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DATED: January 12, 2018

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**BRIEF IN SUPPORT OF PLAINTIFF'S MOTION
FOR ENTRY OF DEFAULT JUDGMENT**

Plaintiff, TDC International Corp. f/k/a/ G.E. Thompson Development Corp., in support of its Motion for Entry of Default Judgment, relies upon Fed. R. Bankr. P. 7012, 7055, and Fed. R. Civ. P. Rule 55.

O'REILLY RANCILIO P.C.

/s/ Nathan D. Petrusak

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